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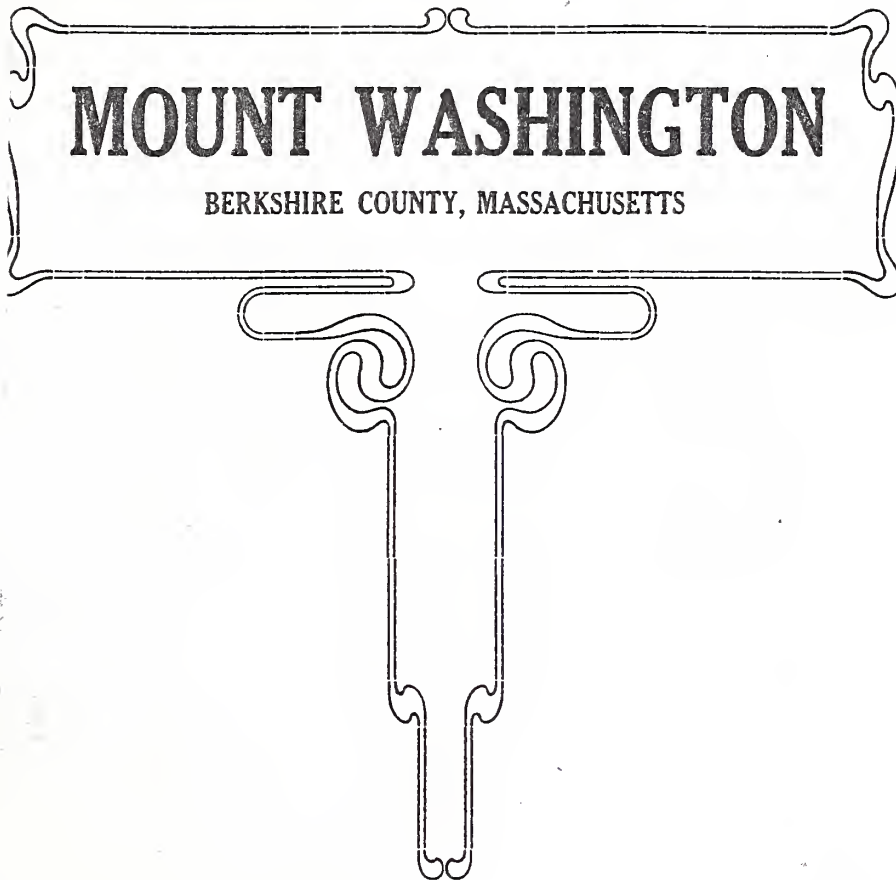
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Keith, Herbert F.
History of Taconic and Mount
Washington, Berkshire
County, Massachusetts

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Vol 5



PART ONE

"LOCATION AND SCENERY"

Keith

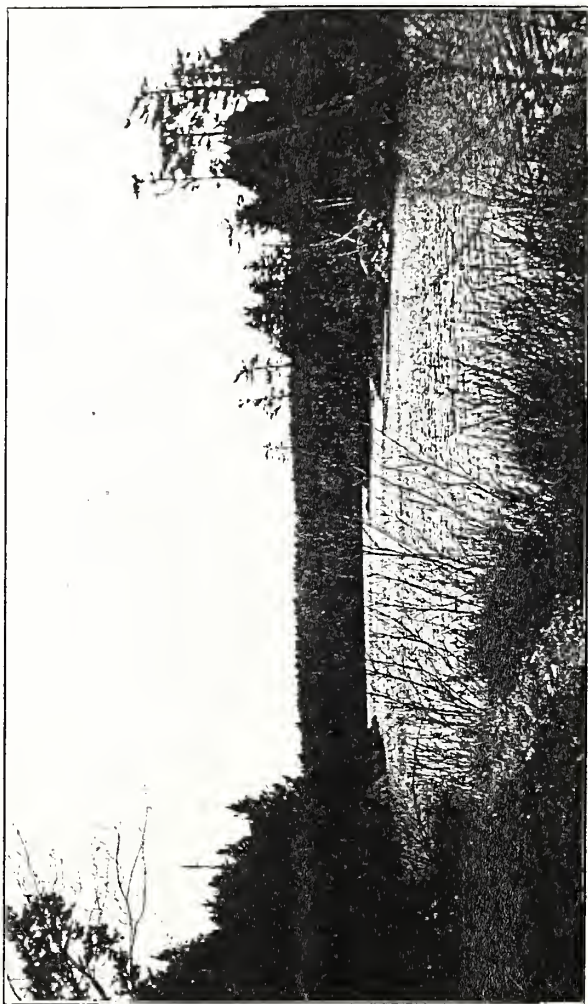


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PLANTIN BROOK ABOVE THE BEAR ROCK FALLS



GILDER POND, MOUNT WASHINGTON

HISTORY OF TACONIC
AND
MOUNT WASHINGTON

BERKSHIRE COUNTY
MASSACHUSETTS

ITS LOCATION, SCENERY AND HISTORY

FROM 1692 TO 1892

TO BE PUBLISHED IN SERIAL NUMBERS

Number Two will contain names of the early settlers, 1692 to 1752, and the beginning of the contest for possession with Robert Livingston.

BY HERBERT F. KEITH

BERKSHIRE COURIER PRINT
Great Barrington, Mass.
1912

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Fort Wayne, IN 46801-2270

Deut. 32-7: Remember the days of old, consider the years of many generations; ask thy father, and he will show thee; thy elders, and they will tell thee.

I will open my mouth in a parable; I will utter dark sayings of old which we have heard and known, and our fathers have told us. We will not hide them from their children, showing in the generations to come the praises of the Lord, and His strength, and His wonderful works that He hath done.

From all over the continent, as the generations go on, the descendents of the men who settled these little New England towns will come, as on a pilgrimage, to find the memorials and graves of their ancestors. Those of us who have stayed on the old spots owe them, at least, the duty of preserving their history. It is a noble and touching story. There is no more noble and touching story from the beginning of time.—Senator George F. Hoar, 1896, in a letter to the author.

DESCRIPTION AND SCENERY

NEAR the south-west corner of Massachusetts, the traveler through Southern Berkshire will see the dome-like summit of Mount Everett, or Bald Mountain, rising in noble grandeur 2,000 feet above the valley of the Housatonic, or 2,624 feet above tide-water, flanked by a short lower range on either side, extending north and south. Behind, to the west two or three miles, is another range, along the state line of New York, of nearly equal height, above the Harlem railroad, which skirts its western base. Between these two ranges is an elevated, fertile, inhabited area from one to two miles in width from east to west, and seven from north to south—the town of Mount Washington.

The mountain ranges along the east and west borders of the town are covered with forests to their summits and give rise to many springs and clear brooks, which give a never-failing water supply to the inhabitants.

Although no one in town, perhaps, gets his living by farming, it has as large a proportion of good land as most of the hill towns of the county, and all the staple products of the state can be raised here, but hay, oats, buckwheat, rye and potatoes do rather better than corn. Henry S. Goodale, a former owner of "Sky Farm," for a number of years raised from 200 to 700 bushels of potatoes per acre from some of the varieties he originated there.

Although the present fruit crop is small, from the long neglect of the inhabitants to set out trees, apples, pears, etc., can readily be raised. As early as 1752 the report of the General Courts Committee speaks of Indian corn, wheat and "49 bbls. of syder" then raised. Small fruits and berries of all kinds grow wild in profusion, but the local demand is greater than the supply, and special cultivation would pay well. A recent effort by Mr. Bates of New York in raspberry culture resulted in a crop of many bushels per acre, and garden strawberries do equally as well.

This "town among the clouds," as it were, is not only rich in picturesque scenery, but has an eventful and interesting history. Its location and height above the neighboring towns places it at a disadvantage as a business town, but as a

health resort, winter or summer, no town in Berkshire county is as favorably situated and accessible by means of the Harlem, Central New England and other railroads at and near Copake Iron Works, 104 miles from the City of New York.

The grand and beautiful scenery in the drive of four miles from Copake, by two routes, the one following the Bash-Bish stream through a deep and picturesque ravine, passing near the well-known Bash-Bish Falls, the other skirting the western slope of the mountain and giving a panoramic view of the Hudson River valley, with the entire range of the Catskill mountains in the background, both making a pleasant change from the eighteen-mile longer railroad ride up the Housatonic to Sheffield. The principal, and at present the only good carriage road from Berkshire county, is by the excellent roads from Sheffield or Great Barrington, nine miles, passing through South Egremont to the base of the mountain, about two miles west of the village. Then, after following a mountain brook through the forest, between two ranges of mountains, about two and a half miles, to the summit, near "Sky Farm," a view unique (and without a rival in New England) bursts upon the vision. The view to the north from "Sky Farm" down through the gorge through which you came, to the farthest extremity of Berkshire, with Greylock and the mountains of Vermont in the distance, and Lenox, Stockbridge, Monument Mountain, etc., in the intervening distance. The various views of the interior undulating plateau, forming the settled portion of the town, 1,000 feet above the valley of the Housatonic, girt round about with mountains, with its cultivated fields and scattered white farm houses; the views of the country beyond from the various surrounding peaks of Mount Ethel, Sunset, Prospect, Fray, Cedar, Alander, and that monarch of all, Mt. Everett, from whose dome-like summit you have an unrivalled view of the whole of Berkshire county, southern Vermont, New York state to the Catskills, north-western Connecticut and a bird's-eye view of the fine scenery of the town and its surrounding mountain peaks which lie beneath you. It is both grand and beautiful.

From the bright silvery lakes in Salisbury to the deep blue of the Catskills; from the distant hills and mountains of Berkshire to the rich and fertile valley of the Housatonic and the Hudson and their cultivated fields, the eye will continue to return to the nearer grand mountain ranges, which, like natural ramparts, form the boundaries of this romantic town. It is like a fortress such as God alone can make, an enduring and grand corner-stone to the old Bay State.

In the extreme south-eastern part of the town, partly in Connecticut, is Sage's Ravine, through which for a mile or more a clear mountain stream of almost icy coldness in mid-summer plunges through a dense forest by successive leaps from a few feet to sixty feet or more. About one mile north of this stream flowing from Plantin Pond, which nestles among the hills 1,000 feet above the Housatonic valley, after flowing a quarter of a mile through a wild forest, plunges over an almost perpendicular cliff at Bear Rock, nearly 500 feet, and disappears in the forest below, and thence by a less rapid descent flows southerly and joins the brook from Sage's Ravine at the base of the mountain just across the state line in Connecticut, and thus united as if reluctant to leave their mountain home and beautiful Berkshire, flows slowly several miles north-easterly into Berkshire again to join the Housatonic in the village of Sheffield. From the top of the forest-covered cliff over which these waters plunge, one of the finest views in New England is obtained. With the roaring brook at your back, rushing onward through the forest to its final plunge, you look down upon a scene which lingers long in the memory of all who witness it. The forest, 500 feet beneath you, in which the brook is soon lost after its final plunge, the fertile valley of the Housatonic, Twin Lakes in Salisbury, with perhaps a train passing across them (over the Central New England Railway) three miles distant, the hills of Canaan and Norfolk in Connecticut, and New Marlboro, Sandisfield and Great Barrington across the valley of the Housatonic, with the scattered villages and the farm houses of western Sheffield beneath you, combine to make a landscape of surpassing beauty.

Such, in brief, are some of the views of this town, among the clouds, of less than the average area, which, combined with a dry and sunny atmosphere, even temperature and the purest water from its numerous springs and mountain brooks, never yet failed to give relief and increased strength to all exhausted by business or disease.

The beautiful and fragrant arbutus and azalia, succeeded by the laurel which line its roadways and woodland paths, its gorgeous sunsets viewed from its many peaks and passes, and the gathering thunder clouds over the Catskills, form a continual succession of beautiful and interesting changes through the summer. All these with the gorgeous tints which nature gives to every hillside and wooded peak in Autumn are a continual reminder of Him who doeth all things well.

Among the early noted visitors who have described the scenery of the town are Dr. Timothy Dwight, president of

Yale university in 1781, and Prof. Edward Hitchcock in his geological report of the state in 1839. Prof. Dwight says:

"In the year 1781 I ascended the loftiest summit of the mountain (from Sheffield) and found a most extensive and splendid prospect spread around me. On the north rose Saddle Mountain at the head of the Hooestennuck valley, at the distance of 40 miles. At the same distance the Catskill Mountains formed, on the west, the boundary of the vast valley of the Hudson. In the south-west rose Butter Hill, the most northern summit of the Highlands on the western side of that river, and the majestic front of an immense range receding gradually from the sight, limited the view beneath us towards that quarter of the horizon. The chain of the Green Mountains, on the east, stretched its long succession of summits from north to south a prodigious length, while over them, at the distance of 40 miles, were the single, solitary point of Mt. Tom, and farther still at the termination of 50 or 60 miles, ascended successively various eminences in the Lyme Range, Monadnoc, at the distance of 70 miles on the north-east, is distinctly visible in a day sufficiently clear. Immediately around us spread a collection of flourishing settlements and finely varied the grandeur with their beauty."

Prof. Hitchcock, in 1839, says:

"It is surprising how little is known of Mount Washington, and especially of its scenery, in other parts of Massachusetts. I doubt whether nine out of ten of our intelligent citizens, beyond Berkshire county, are not ignorant of the existence of such a township within our limits. And even in the vicinity very few have ever heard of scenery in that place, which would almost repay a lover of nature for a voyage across the Atlantic. * * * Through Egremont, passing up along a vast uncultivated slope to the height of nearly 2,000 feet, you at length reach the broad valley where the few scattered inhabitants of the town reside

'A lonely vale, and yet uplifted high
Among the mountains: even as if the spot
Had been from oldest time, by wish of theirs,
So placed to be shut out from all the world.'

"The western side of this valley is formed by the Taconic ridge, which, towards the Connecticut line, must rise nearly 1,000 feet above the valley: and there it takes the name of Alander Mountain. * * * But there is no particular part of the mountain that calls for specific description.

"On the east side of this valley rises Mount Everett. Its central part is a somewhat conical, almost naked, eminence, except that numerous yellow pines, two or three feet

high, and wortleberry bushes, have fixed themselves wherever the crevices of the rock afford sufficient soil. Hence the view from the summit is entirely unobstructed. And what a view !

'In depth, in height, in circuit, how serene
The spectacle, how pure!—Of Nature's works
In earth and air,—
A revelation infinite it seems.'

"You feel yourself to be standing above everything around you; and feel the proud consciousness of literally looking down upon all terrestrial scenes. Before you on the east the valley, through which the Housatonic meanders, stretches far northward in Massachusetts, and southward into Connecticut; sprinkled over with copse and glebe, with small sheets of water, and beautiful villages. To the south-east, especially, a large sheet of water (Twin Lakes in Salisbury) appears, of surpassing beauty. In the south-west the gigantic Alander, Riga, and the other mountains more remote, seem to bear the blue heavens on their heads in calm majesty; while stretching across the far distant west, the Catskills hang like the curtains of the sky. O what a glorious display of mountains all around you! And how does one in such a spot turn round and round, and drink in new glories, and feel his heart swelling more and more with emotions of sublimity, until the tired optic nerve shrinks from its office.

"This certainly is the grandest prospect in Massachusetts, though others are more beautiful, and the first hour that one spends in such a spot is among the richest treasures that memory lays up in her storehouse."

Of Bash-Bish Falls he says:

"Although the most remarkable and interesting gorge and cascade in Massachusetts, it was only by accident that I learnt their existence, after having been in Mount Washington some time; and at that time I could scarcely find anyone in the neighboring towns who had heard of the spot. * * *

"In the first place, it is an enterprise of no small magnitude to get to the spot; especially for ladies, none of whom but the most resolute and vigorous should attempt it, until the roads are improved, or rather made, for the main difficulty is there are no roads that are tolerable for carriages within two miles of the place. A few years since there was a very decent road from Copake in New York, it being only four miles east of Miller's tavern. But the powerful rains of the summer of 1838 completely ruined it, so that it will be quite as easy to make a new one as to repair the old one. The best course to reach this spot is to go into Mount Wash-

ington from Egremont, * * * and when you have proceeded as far as the first school house you will find yourself in the vicinity of a Mr. Schutt (now owned by his son), at whose house it is better to leave your carriage, and go on foot the remaining two miles. The course lies mostly through the woods, and passes near the thermal spring (that which supplies Mr. Schutt's house). * * * A little beyond this, and just west of the highest ridge of the mountain, where is some cleared land, (known as the Bush lot) a very commanding prospect opens into New York, through the deep valley which is formed by a small stream, bounded on the right and left by the steep slopes of the mountain thus discovered, and showing ridge beyond ridge, and checkered with woods and cultivated fields, and now and then a sheet of water, until at length the noble Catskills loom up above everything else in the far distant horizon.

"After leaving this spot, you descend a steep hill nearly 1,000 feet, and find yourself on the margin of a small stream, not more than a rod wide, a little above the point where it begins to plunge and roar down the deep and dark gulf. For a few rods it descends rapidly towards the west, between perpendicular walls of rock nearly 100 feet high. This rock is talcose slate, whose layers here stand nearly perpendicular, and run north and south, that is across the course of the current. But ere long the descending stream strikes against a perpendicular mass of rock which it has not yet been able to force out of its place, and is thereby made to turn almost at right angles to the left, and then to rush down a declivity sloping at an angle of about 80 degrees in a trough between the strata. This fall cannot be less than 50 or 60 feet; and here the water has performed its greatest wonders. Having for centuries been dashing against the edges of the strata, while at the time its bed has been sinking, it has worn out a dome-shaped cavity to the depth of 194 feet; that is measuring from the top of the overhanging cliff to the foot of the fall. * * *

"Following the stream still further down from this upper fall, we find it rapidly descending by several smaller cascades, which together amount to at least 50 feet, half hidden by huge boulders and overhanging trees. At length we arrive at a larger and in fact the principal fall. The water which is divided into two parts by an enormous boulder poised upon the brink, here falls over a nearly straight and perpendicular precipice of about 60 feet, into a deep basin, two or three rods across. * * * But I feel the poverty of description for delineating such scenery. From the top of the highest

precipice to the foot of the lower falls, I estimate the perpendicular height to be 320 feet.

" * * * The town contains an unusual amount of objects of scenographical interest. To examine the most important, two days, at least, are indispensable; one to ascend Mount Everett, and the other to explore the scenery of Bash-Bish Falls. To one who has a taste for the wild, the romantic and the grand in nature, these two days will be a season of delightful emotions."

To these two days Prof. Hitchcock could now add a week for seeing the various new views since opened, notably

SAGE'S RAVINE.

This is one of the wildest and most beautiful successions of cascades through a deep forest-covered ravine to be found in New England. The earliest mention of this is by the committee who ran the boundary line between Massachusetts and Connecticut in 1717, who say: "On the west bank (of the Housatonic) we set up a stake and heap of stones and proceeded five miles, which ends on a mountain we call Mount Eshcoll, from the mighty clusters of grapes there growing, and in a stony gutter by estimation 200 feet deep, through which runs a stream of water which is crossed by the line and falls from the mountain several hundred feet, and the course of the stream may be seen at many miles distant. We have also marked many trees in the line between station and station, the last of which is a maple at the foot of Mount Eshcoll on the north side of the stream at six feet west from which is a large rock at the edge of the water. The line terminates on the top of the mountain in the gutter at a right angle from the North Mountain at a place incapable to have a monument made at it.

Sam'l Porter, Matthew Allen, Sam'l Thaxter,
Wm. Whiting, John Chandler, Nathaniel
Burnham. Commissioners.

Westfield. Sept. 20, 1717."

To the old-time tribute I will only add the two following from many of more recent date:

The Rev. J. T. Headley says of the view from Mount Everett:

"You are the center of a circle of at least 350 miles in circumference. And such a circle! I cannot tell of the prodigality of beauty that meets the eye at every turn. You seem to look on the outer wall of creation, and this old Dome seems to be the spot on which Nature set her great compasses

when she drew the circle of the heavens. A more beautiful horizon I have never seen than sweeps around you from this spot. The charm of the view is perfect on every side—a panorama, which becomes a moving one if you will but take the trouble to turn it round.”

Mrs. Goodale says: “High amid the hills of extreme Southern Berkshire, uplifted skyward where light and air, color, perfume, song and silence of the summer days all come and go, pure, free, spontaneous, each with its own delicious, subtle charm, lies Mount Washington. Girt about with everlasting hills in their serene steadfastness, with the western outlook bounded by the beautiful range of the Catskills, in no part of Berkshire is to be found more of the native majesty and loveliness of Nature. Green fields, cattle upon the hills, and scattered farm houses speak of the hand of man, and yet there are broad stretches of woodland answering only to the rhythmic fingers of the wind, and echoing no harsher sounds than the cooing of the wood-dove or the persistent cooing of the whip-poor-will.”



BASH BISH FALLS, MOUNT WASHINGTON



BEAR ROCK FALLS, 100 FEET BELOW

MOUNT WASHINGTON

BERKSHIRE COUNTY, MASSACHUSETTS

PART TWO

***“First Settlers, 1692-1752 and Beginning of
Livingston Contest for Possession”***

Keith



UPPER END SAGE'S RAVINE, MOUNT WASHINGTON

PART TWO

FIRST SETTLERS, 1692-1752

And Beginning of the Livingston Contest for Possession

THERE is conclusive proof that several families were living in Mount Washington over two hundred and twenty years ago. In fact the first white settlement in Berkshire county was in this town, about 1692, as shown by the petitions and unpublished papers of the Massachusetts archives, and the Livingston papers, published in the third volume of the documentary history of New York.

Bordering on the two states of Connecticut and New York, claimed by Robert Livingston and remote from the protection of the Massachusetts government, the early history of the town previous to the final settlement of the New York boundary line in 1787, was an eventful and exciting one. It was the scene of almost continual warfare between its inhabitants and Robert Livingston for many years, beginning in 1752.

EARLY INDIAN DEEDS AND GRANTS.

During the year 1683, and subsequently, Robert Livingston made various purchases of the Indian owners, for which he petitioned the Governor of New York to unite under a "patent of conformation," constituting the Manor of Livingston and conferring feudal privileges upon the proprietors, which petition was granted by the Governor and the patent issued July 22, 1686.

The petitions for the patents were artfully worded by Livingston so as to convey the impression that the original grants taken together would comprise but a little over two thousand five hundred acres. This was increased by a subsequent survey for him in 1714 and its confirmation by Governor Hunter, October 1st, 1715, to over 175,000 acres, which survey included nearly two-fifths of the present town of Mount Washington.

There is not a particle of evidence that Livingston ever purchased the last-mentioned land from the Indians, or indeed any considerable portion of the tract which forms the northeastern section of Copake, although he had caused them to be included within the manorial grant. This eminently characteristic piece of sharp practice was destined to cause his descendants no small amount of trouble.

Prior to this survey and confirmation to Livingston in 1715, that known as the Westenhook Patent was granted and issued in four tracts March 6, 1705, by the Governor of New York, Edward Viscount Cornbury, to Peter Scuyler, Derrick Werrells, Jno. Abeel, John Janse Bleecker, Ebenezer Willson, Peter Fauconier, Dr. Daniel Cox, Thomas Wenham and Henry Smith. The second tract included Mount Washington, and is described as follows::

"Situate, lying and being on the west side of ye said creek called Westenhook (Housatonic river) butting on the south side of ye flatt or plain called Tashamick, formerly belonging to Nishotowa, Anaanpack and Ottonowa. consisting of 2 flatts or plains, the first or southermost plaine called Machaakquichkake, and the second or northermost called Kaphack, and so to an Indian burying place hard by the said latter plaine, which is the northermost bounds, and soe, keeping the same breadth, into ye woods westerly as far as the land belonging to an Indian called Testamashatt, bearing near the land called Tachancke" (Copake.)

This tract included Mount Washington and probably the east part of Copake and Hillsdale, the Tachancke here mentioned being a tract granted to Robert Livingston August 10, 1685, lying west and south of Copake lake. The Indians, Nishotowa and Testamashatt, above-named, being grantors in his deed.—Doc. Hist., N. Y., Vol. 3. Pages 371-377.

The conditions of the Westenhook Patent required the improvement of some portions of the lands within six years and the payment of an annual quit-rent of £7 10 shillings, which conditions appear not to have been complied with, owing probably to the Indian title being fraudulently obtained.

April 25, 1724, the Housatonic Indians sold to the Housatonic Proprietors, in consideration of the payment secured to them of "four hundred and sixty pounds, three barrels of sider and thirty quarts of rum, a certain tract of land lying upon Housatonach river, alias Westonook, bounding "southerly upon ye divisional line between the Province of Massachusetts Bay and the Colony of Connecticut in New England, westwardly on ye patent or colony of New York, northwardly upon ye Great Mountain known by ye name of Mau-skafee-haunk, and eastwardly to run four miles from ye afore-said river, and in a general way so to extend."

The tract conveyed by this deed included the whole of the towns of Sheffield, Great Barrington, Mount Washington

and Egremont, and the greater part of Alford, etc. The Indians reserved within this tract a strip about five-eighths of a mile wide extending from the Housatonic river to the line of the state of New York, or the foot of the mountain, the north boundary of which was the present divisional line between Sheffield and Great Barrington and extended west.

THE NEW YORK BOUNDARY.

The first step towards the establishment of the boundary line between New England and New York was in 1664 or 1665, by royal commissioners, which was finally placed at a general distance of 20 miles east of "Hudson's" river, but was not finally surveyed and marked until as late as 1731, when the distance was measured upon the surface of the ground with an allowance of 12 rods per mile added to bring it to an approximate horizontal measurement from the Hudson river to the old south-west corner of Massachusetts, a little south-west of the railroad station at Boston Corners, which was marked by a heap of stones which has ever since formed an important reference point in many subsequent surveys.

In pursuance of an agreement between the provinces, Connecticut ceded to New York, at the same time, a strip along her western border known as "the oblong," the width of which was "one mile, three-quarters of a mile, twenty-one rod, and five links," which established the actual north-west corner of Connecticut that distance farther to the eastward.

In 1730 and 1732 committees were appointed by the general court of Massachusetts in reference to the establishment of the boundary, but nothing whatever had been done on the part of New York.

In 1739 Governor Belcher of Massachusetts wrote to Lieutenant-Governor Clark of New York that he had for nine years been urging the New York government to take some action in respect to the boundary, and that "if after so many applications from this Government to that of New York, for an Amicable Adjustment of the Boundaries betwixt them, they will not be persuaded to do what is so reasonable, and to preserve Peace and good Neighborhood, your people must be answerable, if any Inconveniences issue upon this Government's Right to." Upon the receipt of this communication, Lieutenant-governor Clark wrote to the Lords of Trade, asking for instructions from the king, and suggesting that a royal order be obtained forbidding any further surveys and settlements to be made upon the frontier by the New England people. The Lords replied in substance that Massachusetts

had acted too hastily in the affair, and that they had directed the governor of that province to arrange the controversy amicably. And there the matter rested.

In 1740 the Massachusetts General Court again appointed boundary commissioners, but when its action was laid by the governor of New York before his council, that body expressed the opinion that "as the soil of this province belongs to His Majesty, His Honor cannot grant any power to the commissioners of this province to make any agreements the commissioner shall enter into conclusive, until the same shall first have received His Majesty's approbation."

From this time no official action seems to have been taken for several years by either government.

Nearly fifty years previous to this, some few straggling pioneers had found their way into Mount Washington. The burning of charcoal and mining for ore along the western base of the mountain for a blast furnace, forge and foundry erected at Ancram about this time by Philip Livingston, largely increased their number. A part of the town, although embraced within the original chartered limits of the Livingston Manor, had never been alienated by its original owners, and was more than twenty miles east of the Hudson river, but the settlers who were located upon it were none the less claimed by Robert Livingston to be tenants, and were required to pay him an annual rental for the occupancy of their farms. These people chafed under the exactions of their lords and the continual taunts of their eastern neighbors, who, holding their lands in fee under the "Boston government," regarded them with unconcealed contempt as little better than slaves and vassals of the lords of the manors. These borderers, for the most part rude, ignorant and lawless, yet by no means lacking in personal independence and courage, were allured by promises that in case they would join in the proposed movement to establish the authority of Massachusetts over the disputed territory, they need pay no more rent to their feudal landlords, but that the absolute titles to the farms which they severally occupied would be confirmed to them on the payment once for all of a nominal sum to the proprietary. This some of the bolder spirits among them at once undertook to follow, among them George Robinson, a resident of Sky Farm, and Josiah Loomis, on the farm containing the little cemetery east of the west road, a recent emigrant from Connecticut, and Michael Hallenbeck, a tenant of thirty years standing, upon which Robert Livingston, Jr., commenced proceedings in ejectment

against Hallenbeck and Loomis, who occupied neighboring farms.

"This was the renewal of a dispute between the Housatonic proprietors and New York claimants, which occurred between 1725 and 1740, over the state boundary, which was intensified this time by the presence of conditions which did not exist elsewhere. It involved not only conflict of different nationalities, but of antagonistic political institutions. To look upon this contention merely as a trial of conclusions between the English and Dutch settlers and their respective descendants would be to underestimate its true significance, for it involved something far more important than this; it was nothing less than a death-struggle between the free land tenants and independent town organizations of the Massachusetts colony, and the antiquated and feudal system under which the adjacent territories of the province of New York were held and governed. From beginning to end these peculiar political and social conditions exercised a potent influence upon the character of the proceedings, and confer upon the subject a degree of historical interest and importance which under other circumstances it might not have possessed."

The following from the unpublished Massachusetts archives and the published Livingston papers in the documented history of New York, give an idea of these contests:

FIRST PETITION OF THE INHABITANTS, 1751.

Wm. Bull's Petition.—Mass. Archives, Vol. 6, Page 32.

To his Honor Spencer Phipps, Esq., Lieutenant-Governor and Commander in Chief in and over His Majesty's Province of Massachusetts Bay, and to the Hon'ble his majesty's council of the hon'ble House of Representatives in General Court assembled:

The petition of William Bull in behalf of himself and forty-four other Persons whose names are hereto annexed, humbly sheweth

There is a tract of Land lying west of Sheffield within this Province which Robert Livingston, Jun., Esq., is endeavoring to engross and annex to his manor, and many Families are already Settled thereon, by his Encouragement. About twenty of the Persons in the annexed List are actually Settled there; but very uneasy at present heavy Rents they are obliged to pay to sd Livingston and never like to have the Gospel among them so long as they are Tenants to him and being Sensible that the Lands are Eastward of the ut-

most extent of his Patent and within the Province of the Massachusetts Bay, are very desirous of the Protection of sd Government to Do duties or receive Privileges there; the sd Lands are capable of receiving about forty-five inhabitants and in time may make a small parish. At the instance of the sd Persons Settled on sd Land your Petitioner and others in the annexed List have been induced to seek to this Government to Assert their Right to sd Lands; and if your Honor, will be pleased to make a grant of it to the sd Persons they are willing to do such duties as you shall Enjoin them to perform. The bounds of the Land are as follows. To begin at the Top of the first great mountain west of Sheffield in Line between this Province and Connecticut, from thence running west in sd Line five mile and three-quarters to the East Line of sd Man'r, thence northerly as the line of sd Man'r Runs, about eight mile, to the South End of an Hill called Virdribiek Berg. Thence East four mile and an half, thence Southerly to the first Bounds. Your Petitioners would represent the reason for extending North and South so far is because the most of the Land is Extremely mountainous and not habitable; and that part of it capable of settlement runs Northerly and Southerly within the mountains as will appear by the Plan herewith presented and as in Duty Bound shall ever pray.

(List of Petitioners.)

Samuel Bellows	Thomas Loomis
*Christopher Brazee	*Joseph Orcutt
Samuel Brown	David Owen
†William Bull	*Andrew Race
*Jeremiah Butler	*John Race
*Jonathan Darby	*George Robinson
Cornelius Decker	Barnard Schivenerhoorn
Jacob Decker	Jacob Schivenerhoorn
Jared Decker	John Schivenerhoorn
John Decker	Uriah Schivenerhoorn
*Philip Fraa	Henry Smith
John Gay	Jonah Smith
John Gay, Jr.	*Nicholaus Spoor
*John Hallenbeeck	*Richard Spoor
*John Hallenbeeck, Jr.	Gideon Towsley
*Matthew Hallenbeeck	Samuel Towsley

†William Bull was a young physician of Sheffield, who died May 19, 1758, aged 28 years, 5 months and 16 days, and is buried in the old cemetery east of Main street at the lower part of the village. His son, Dr. William Bull, Jr., built the house some two miles below Sheffield village now owned by Miss Dailey, a descendant.

*Michael Hallenbeeck, Jr.	Elias Tucker
*Robert Hallenbeeck	William Turner
*William Hallenbeeck	*James Van Dusen
*William Hallenbeeck, Jr.	*William Webb
*Zepheniah Harvey	Addam Weeber
*Josiah Loomis	Wynant Weeber

In response to the foregoing petition are the following reports:

(Mass. Archives, Vol. 116, Page 36.) Pursuant to the Order of the Hon'ble House of Representatives of Oct. 11, 1751, I have viewed the Lands mentioned in the Petition of William Bull and Others and conferred with the inhabitants living on sd Lands, who are chiefly Dutchmen, who inform me that they were encouraged to Settle sd Land many years since by Mr. Livingston, to whome they have paid great rents from year to year, but he never gave a lease to any one of them but refuses to do it; they further informe me that upon examination they find that they are not Settled within sd Livingston's Patent, therefore divers of them the Last year have refused to pay him any rent and that he declares that he will send them all to Gaol very soon if they do not pay their Rents, they appear very solicitous to be taken under the protection of this government, as to the quality of the Lands some of them appear very good they lie on a small river or brook which heads in Taucaunuck mountain Runs northerly and southerly some miles the most valuable lands are in possession of about twenty families more than half of the Lands mentioned in sd petition are upon the Great Tauconuck mountain which is very high and impassible many miles together the other lands except what are under improvement as above sd are chiefly white oak Rock oak Hills Some of them pretty good other of them mean and poor.

Ov Partridge.

(Mass. Archives, Vol. 46, Page 307.)

	No. Houses	No. Acres fenced	No. Acres improved	Yrs in possession	Yrs cul- tivate by any form	Orch- ards	No. bbls Syder
Andrew Brasee	1	70	50	30	50	1	10
Cornels Brasee	1	50	30	10	22		
Js Eliot	1	2	1	2	2		
Henry Brasee	1	60	10	15	60	1	3
Francis Brasee	1	20	15	4	4		

Note:—Most of those marked thus (*) were residents of the town in 1751, and some for many years previous, as shown by the following report of Joseph Dwight, Col. Bradford and Capt. Livermore.

*Jeremiah Butler ..	5	1	1	1		
*Jonathan Darby .. I	8	7	2	2		
*Jacob Decker, 2d .. I	1	1	1	1		
*Christopher Brasee I	60	20	15	60	I	2
*Philip Fraa	60	60	10	10		
Js Gillet	15	7	2	2		
Simon Doby—Lives with Gillet						
*John Hallenbeeck .. I	70	60	17	60	I	8
*Wm. Hallenbeeck, Jr.—Son to John						
*Math'w Hallenbeeck I	5	1	1	1		
*Michael Hallenbeeck I	70	60	18	30	I	6
*Jno Hallenbeeck, jr. }	Sons to Michael.					
*Robert Hallenbeeck }						
*Wm. Hallenbeeck.. I	20	15	2	2		
*Zeph Harvey	5	4	2	2		
Ambrose Hunt I	6	3	1	1		
Jacob Loomis		3	cleared			
*Josiah Loomis I	30	20	9	9		
Josiah Loomis, jr.—Son to Josiah ,sr, 3 acres under improvement						
Louissy Newell ...	2					
*Jo Orcutt	4				Trees girded	
*Andrew Race	I	70	60	16	26	I young
Andrew Race, 2d .. I	30	15	3	3		
Cornel Race	I	possessor with Eph				
Eph Race	I	60	40	16	50	I 2
*John Race—Son to Andrew						
Wm. Race	I	1	1	15	15	
Wm. Race, jr. I	30	16	10	10		
*George Robinson .. 2	Dwelling houses pulled down.					
Adam Shaver, holds under David Ingersol						
sol	I	30	15	4	28	I 4
*Henry Smith		10	3	1	1	
*Jonas Smith	I	70	50	27	27	I 8
Abrah'm Spoor ... I	40	30	18	60	I	3
*Rich'd Spoor	I	40	30	18	60	I 3
*Nicholaus Spoor—Son to Richard.						
*James VanDusen .. I	20	18	4	4		
Robert Van Dusen .	2	1	1	1		
*Wm. Weeb	6	5	1	1		
Kyleon Wenard ... I	1	1	1	1		
<hr/>						
Total, 44 names	32	966	772		12	49

"N. B.—Those marked thus (*) are petitioners."

J

True state of ye lands contained within ye limits of Wm.
Bull's petition.

1752	Capt. Livermore Col. Bradford Joseph Dwight	} Com.
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The number of years in this report of 1732 that these persons give of their occupancy and of the total years their lands had been under cultivation, by them or their predecessors, indicates a much earlier settlement of Mount Washington than any other portion of Berkshire county. Among them Christopher and Henry Brazee, John Hallenbeeck and son, and Abraham and Richard Spoor testify that their farms had been cultivated for 60 years previous to 1752, or as early as 1692. Christopher and Henry Brazee probably occupied a part of O. C. Whitbeck's farm. John Hallenbeeck lived about 800 yards from Michael. The Documentary History of New York and other testimony says Michael's farm adjoined Josiah Loomis', who sold to Benjamin Osborn in 1762, who soon after built the house still standing a short distance south-east of the little cemetery. This farm is a part of the large farm which the Massachusetts commissioners laid out in 1752 and said by them to "encompass the dwellings of Michael Hallenbeeck and Josiah Loomis," and is shown on the map by the shaded lines. Abraham and Richard Spoor were probably brothers of Capt John, who had a grant of 400 acres on Egremont Plain in 1731, and Dirk, who had a grant on the Under Mountain road in Sheffield of 600 acres, which included the Berkshire Hills School and other lands.

The report of the state commissioner shows Abraham and Richard to have farms precisely alike and to have occupied them the same length of time, viz: 18 years, or as early as 1734, fully as early as Capt. John and Dirk in Egremont and Sheffield. They apparently succeeded to their father's farm, while their brothers took up new sites. Both Richard and his son, Nicholas, are petitioners in William Bull's petition, and it would therefore appear that they must have lived somewhere in this town, probably on or near the farm of A. I. Spurr, descendant of Dirk. The old road across the mountain to Dirk Spoor's grant in Sheffield started near said Spurr's, probably being their earliest way of communication. Abraham and Richard Spoor probably removed to Copake soon after the Indian purchase, for Abraham, who died Oct. 23, 1757, and his wife, Garke, May 3, 1777, aged 63, are buried in the cemetery back of the church at Copake.

From this time active steps were taken by the state in accordance with the petitions of the settlers to sell those unincorporated lands. A committee, in June, 1753, reports as follows upon lands not of the original west line of the two Housatonic townships, not including Mount Washington, sold and unsold:

Lands between Lower Sheff'd and ye Foot of	
Tauconnock,	9760 acres
Do. between Upper Sheff'd and ye foot of af'rd	4550 acres

14,310 acres

Country Grants within The above Tract.

	acres	
viz: Major Williams,	500	
Widow Owen (Patience)	100	Part of John Shepard's
Thos Ingersole, Esq'r	130	
Maj'r Williams	200	
Elias Vanschaack	400	
Chandler & Kellogg	200	
Sam'l Winchell	120	
Jabez Omstead	200	
Col. Timo. Dwight	200	
Capt. Spoor	600	Freer Wilson & Wilcox
Col. John Alden	250	
R. Treat & Sons	300	
	<hr/> 3200	
		<hr/> 3200

	11,110
Lands possessed within the above tract by intruders,	1,618

Unoccupied, 9,482

Mass. Archives, Vol. 46, Page 262.

Following which, June 19, 1753, Jacob Wendell, Esq., from the committee appointed to consider the committee's report respecting the Western Lands, gave in the following report, viz:

"The committee appointed to take under consideration the report of a committee sent by this court to view the Province Lands west of Sheffield, &c. and also what it may be proper to do respecting the western boundary of this Province, &c, beg leave to report

That considerable improvements have been made upon the Province Lands lying west of Sheffield and Stockbridge without any grant or liberty from this Government. The

committee therefore are of opinion that a committee be appointed by this court to repair to said lands with full power to dispose of the same to the person or persons who have made or caused such improvements, in such quantities as they shall judge reasonable, for such sums of money as the land may be judged to be worth, without having respect to the improvements made upon them, and take bonds with sufficient sureties for the payment of the monies into the Province Treasury within two years; and in case any of the said persons refuse to purchase the same or give bond as aforesaid, that then the committee be empowered to dispose of the same to such other persons as shall appear to purchase said lands; who are also empowered in behalf of the Government to deliver possession of the lands to the persons respectively that shall appear to purchase the same; and said committee to be further empowered to dispose of the Province Lands lying west of said township, which are not taken up by any person to such as shall appear to purchase the same, they giving bond to said committee as aforesaid for the sums they shall value the lands at, and that all the lands lying west of Sheffield be annexed to said town to do duties and receive privileges there; and those lands lying west to said town of Stockbridge to do duties and receive privileges there, all of which is humbly submitted.

Jacob Wendell, per order.

In the House of Representatives: Read and voted unanimously that this report be accepted, and that a committee be appointed by this court for the purposes herein mentioned.

This was the act by which the Under Mountain lands were annexed to Sheffield, and Mount Washington also, until its separate incorporation in 1779, a period of 25 years, during which its town history is a part of Sheffield's.

In the following from the third volume Documentary History of New York, page 727, we find:

"Humbly Showeth

That his late Majesty King James the Second, by his Letters Patent under the Great Seal of this Province of New York, bearing date the twentieth day of July, in the year of our Lord one thousand, six hundred and eighty-six, did grant and confirm unto Robert Livingston, your Petitioner's grandfather, deceased, All that Tract of Land called by the name of the manor of Livingston, lying in the County of Albany, in the province aforesaid, about which he was at great

charge, Trouble and expense in purchasing the same from the Native Indians before he could obtain the said Grant, and particularly that part thereof which is contiguous and adjoining to the colony of the Massachusetts Bay, called and known by the name of Tackanack.

"That the said Robert Livingston, by virtue of the said Letters Patent, was during his lifetime and at the time of his death seized of the said Tract of Land without any disturbance or molestation under pretence of Title of or by any person or persons whatsoever, and that on his decease the same descended (except some part thereof otherwise conveyed or devised) to his Son, Philip Livingston, your Petitioner's late Father, as his eldest Son and heir-at-Law.

"That the said Philip Livingston so therefore being seized, did also die in the peaceable possession of the premises, upon whose decease the same descended to your Petitioner as his eldest Son and heir-at-Law.

"That the said Tract of Land was always held and esteemed to lye within this Province, and that accordingly your Petitioners, and his said Ancestors, have constantly paid the Quit rent for the same into his Majesty's Receivers General of this Province, and also have been at great charge and expense to encourage the settlement and improvement of the said Manor, the Tenants whereof as well as your petitioner and his said Ancestors have always readily paid their proportionable part of the Taxes and other rates for supporting the Government, as they deemed and esteemed themselves to be within the same, and under the protection thereof. And that your Petitioner so being seized of the same as aforesaid, did peaceably possess the same, until some time in December last, since which he hath met with frequent Disturbance by people of the Massachusetts Colony surveying part of the said Tract of Land under pretence of its lying within the said Colony, and stirring up several of your Petitioner's Tenants, dissuading them from holding the same under him, and promising them Grants and Patents under the said Colony of the Massachusetts Bay for farms held by demise from your Petitioner.

"That accordingly your Petitioner hath been informed and doth verily believe, that sundry of his said Tenants together with some persons of the County of Dutchess, have petitioned the General Court at Boston for Grants and Patents for the same.

"That you Petitioner hath been obliged, in order to quiet the disturbances occasioned by the said pretence of Title, and

to assert his right to the same lands, to commence one action of Trespass, and another action of Ejection, in both of which the Defendants have compromised the matter by taking new leases from your Petitioner, and giving surety for the payment of the Costs, but that his having recourse to the usual process at law is so far from being likely to put a stop to the said Disturbances, that he did lately receive a Letter signed Ol'r Partridge in the words following, to Witt: 'March 24th, 1752. Sir, in consequence of an order of a Committee of the General Court of the Province of Massachusetts Bay, to lay out Equivalents in the Province land, I have begun on the East side of Takinnich Barrich, and laid out a large Farm which encompasses the dwellings of Michael Halenbeeck and Josiah Loomis, and you may depend on it the Province will assert their right to said lands. I have heard you have sued the one, and threatened the other, which possibly may not turn out to your advantage. I should have gladly seen you and talk'd of the affair with Calmness and in a friendly manner, which I hope to have an opportunity to do, in the mean time I am, Sir, your very humble servant, Ol'r Partridge,' as by the said Letter superscribed and directed to your Petitioner may appear.

"And your Petitioner doth further show unto your Excellency that the said land said to be laid out by the said Partridge in the above recited letter, is part of the said Tract of land by the said recited Letters Patent granted, and the said Michael Halenbeeck and Josiah Loomis are Tenants of your Petitioners, &c.

And your Petitioners shall ever pray, &c.

Robert Livingston, Jr.

New York, Apr. 16, 1752."



PICNIC AT WHITBECK GROVE IN 1876

